

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

VIRGINIA MOEHRING

PLAINTIFF

VS.

CAUSE NO. 1:22cv66-SA-RP

WALMART, INC.

DEFENDANT

**COMPLAINT
(Jury Trial Requested)**

COMES NOW, the Plaintiff, Virginia Moehring, and files her Complaint against the Defendant, Walmart, Inc. as follows:

PARTIES

1. Plaintiff, Virginia Moehring, is an adult resident citizen of Mississippi residing in Columbus, Mississippi.
2. Defendant, Walmart is a foreign corporation incorporated in Delaware. Walmart may be served with process of the Court upon its registered agent for service of process: CT Corporation System, 645 Lakeland Drive East, Suite 101, Flowood, Mississippi, 39232.

JURISDICTION AND VENUE

3. The acts and omissions giving rise to this lawsuit all occurred in Lowndes County, Mississippi. The Court has proper jurisdiction and venue over this action and parties hereto pursuant to 28 U.S.C. § 1332 and 1391. Plaintiff and Defendant are citizens of different states and the damages exceed \$75,000.00.

FACTS

4. At all relevant times, Walmart ("Walmart") was licensed to do business and doing

business in Mississippi.

5. On February 6, 2021, the Plaintiff, Virginia Moehring, was an invitee of Walmart #495 in Columbus, Mississippi. She arrived at the store along with her husband to shop for household items.

6. Upon arrival, Moehring went to get a shopping cart. While shopping, Moehring was injured by an employee of Walmart when the employee, operating an electric retriever/trolley, failed to pay attention and pushed a long stack of carts into Moehring, knocking her to the floor causing severe injury to her body. Moehring has received substantial medical treatment as a result of the incident. The Walmart employee was acting within the course and scope of his employment when he injured the Plaintiff.

CAUSE OF ACTION

7. The Defendant, by and through its employee, was careless in the operation of its electric retriever/trolley and caused a long stack of carts to be pushed into Moehring knocking her to the floor causing severe injury.

8. As a direct and proximate result of the defendant's negligence, Moehring was injured. These actions were the proximate cause of Moehring's injuries.

DAMAGES

9. As a direct and proximate result of the defendant's acts and omissions, Moehring suffered the following damages:

- a. Physical pain and suffering, past, present and future;
- b. Medical bills and expenses;
- c. Out-of-pocket expenses;

- d. Permanent impairment;
- e. Mental and emotional distress;
- f. Loss of enjoyment of life;
- g. Lost wages;
- h. Attorney fees and expenses; and,
- i. All other damages allowed under Mississippi law including, but not limited to, pre-judgment and post-judgment interest.

WHEREFORE, PREMISES CONSIDERED, Virginia Moehring seeks and demands judgment from the Defendant in an amount within the jurisdictional limitations of the Court and in an amount of compensatory damages as determined by the jury and permitted by the Court together with all pre and post judgment interest, attorney fees and costs.

Respectfully submitted, this the 14th day of April, 2022.

VIRGINIA MOEHRING, PLAINTIFF

By: 

Craig R. Sessums (MSB 10184)

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